

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GABRIEL BLACKWELL, :
Plaintiff, :
 :
 v. : : **Case No. 2:20-cv-6591-JDW**
 :
UNITED AUTO CREDIT, :
Defendant. :
 :

ORDER

AND NOW, this 29th day of January, 2021, upon consideration of Plaintiff Gabriel Blackwell's Complaint (ECF No. 2) and Motion to Proceed *In Forma Pauperis* (ECF No. 5), for the reasons stated in the accompanying Memorandum, and it is **ORDERED** as follows:

1. The Motion to Proceed *In Forma Pauperis* (ECF No. 5) is **GRANTED** pursuant to 28 U.S.C. § 1915;
2. The Complaint is **DEEMED** filed;
3. The Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim;
4. Mr. Blackwell may file an amended complaint on or before February 26, 2021.

Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Mr. Blackwell's claim(s) against each defendant. The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. When drafting his amended complaint, Mr. Blackwell should be mindful of the Court's reasons for dismissing the claims in his initial Complaint as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until the Court so orders;

5. The Clerk of Court shall send Mr. Blackwell a blank copy of this Court's current standard form to be used by a self-represented litigant filing a civil action bearing the above-captioned civil action number. Mr. Blackwell may use this form to file his amended complaint, if he chooses to do so. Mr. Blackwell can also download the form on the Court's website: <https://www.paed.uscourts.gov/documents/forms/frmccgenf.pdf>;

6. If Mr. Blackwell does not wish to amend his Complaint and instead intends to stand on his Complaint as originally pled, he may file a notice with the Court on or before February 26, 2021, stating that intent, at which time the Court will issue a final order dismissing the case. Any such notice should be titled "Notice to Stand on Complaint," and shall include the civil action number for this case; and

7. If Mr. Blackwell fails to file any response to this Order, the Court will conclude that he intends to stand on his Complaint and will issue a final order dismissing this case.

BY THE COURT:

/s/ Joshua D. Wolson
JOSHUA D. WOLSON, J.